



Case No.: 03-198-A (400.137)

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

RNA INTERFERENCE MEDIATED INHIBITION OF PARKINSON DISEASE USING SHORT INTERFERING NUCLEIC ACID (siNA)

the specification of which is attached hereto unless the following space is checked:

☒ was filed on October 31, 2003 as United States Application Serial Number 10/698,311.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s):

<u>Number</u>	<u>Country</u>	<u>Day/Month/Year Filed</u>
1. PCT/US03/05028	WO	20/02/02

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

	<u>Application Number</u>	<u>Filing Date</u>
1.	60/358,580	02/20/02
2.	60/363,124	03/11/02
3.	60/386,782	06/06/02
4.	60/393,796	07/03/02
5.	60/399,348	07/29/02
6.	60/406,784	08/29/02
7.	60/408,378	09/05/02
8.	60/409,293	09/09/02
9.	60/440,129	01/15/03

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

	<u>Application Number</u>	<u>Filing Date</u>	<u>Status: patented, pending, abandoned</u>
1.			

I hereby appoint the practitioners associated with the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and I direct that all correspondence be addressed to that Customer Number.

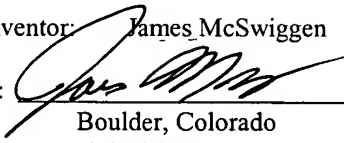
Customer Number: **020306**

Principal attorney or agent: Christopher P. Singer

Telephone number: 312-913-0001

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: James McSwiggen

Inventor's signature: 

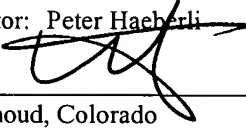
Date: 4/19/04

Residence: Boulder, Colorado

Citizenship: United States

Post Office Address: 4866 Franklin Drive, Boulder, Colorado 80301

Full name of second joint inventor: Peter Hachlerli

Inventor's signature: 


Date: 4/16/2004

Residence: Berthoud, Colorado

Citizenship: United States

Post Office Address: 705 7th Street, Berthoud, Colorado 80513

Full name of third joint inventor: Bharat Chowrira

Inventor's signature: 

Date: 4/30/04

Residence: Louisville, Colorado

Citizenship: United States

Post Office Address: 576 Manorwood Lane, Louisville, Colorado 80027



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No.: MBHB04-372(400.137))

In the Application of:)	
)	
McSwiggen et al.)	Art Group: 1632
)	
Serial No.: 10/698,311)	
)	Examiner: Not assigned
Filed: October 31, 2003)	
)	
For: RNA Interference Mediated Treatment)	
Of Parkinson Disease Using Short)	
Interfering Nucleic Acid (siNA))	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT UNDER 37 C.F.R. § 1.821(f)

Sir/Madam:

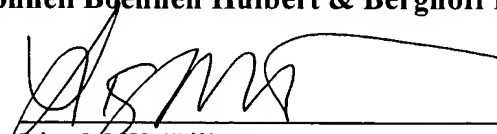
The undersigned representative hereby declares that the content of the electronic copies of the Sequence Listing, submitted in the above-identified application in compliance with 37 C.F.R. § 1.52(e) on Compact Disc-Recordable (CD-R) medium in duplicate (COPY 1 and COPY 2), in lieu of the paper copy under 37 C.F.R. § 1.821(c), and computer readable form copy of the Sequence Listing, submitted in the above-identified application in accordance with 37 C.F.R. § 1.821(e), are identical in content. The sequence listing submitted herewith does not extend beyond the scope of the specification, and thus, does not contain new matter. The CD-R labeled "CRF of Sequence Listing submitted under 37 C.F.R. § 1.821(e)" contains an IBM compatible dos-text file of the sequence listing named "04-372 Sequence Listing.txt".

Respectfully submitted,

McDonnell Boehnen Hulbert & Berghoff LLP

Dated: May 5, 2004

By:


Lisa M.W. Hillman
Reg. No. 43,673